

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**DAWN GARCIA, as Personal
Representative of the Estate of Donald
Dean Foster, Deceased;**

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

8:12CV183

ORDER OF DISMISSAL

This matter is before the Court on the Parties Motion and Stipulation for Dismissal (Filing No. 43). The Motion complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The above-captioned action should be dismissed with prejudice, each party will bear its own costs, and the complete record will be waived. Accordingly,

IT IS ORDERED:

1. The Parties Motion and Stipulation for Dismissal (Filing No. 43) is approved;
2. The above-captioned action is dismissed with prejudice; and
3. Each party will bear its own costs, and the complete record is waived.

Dated this 25th day of February, 2015

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge